Shawn C. Fuller, Chief Deputy
Bryan B. Chambers, Civil Division
Jeff Dalton, Child Support Division

June Ava Florescue
Jessica Oortman
Patricia Pfeiffer
Lauren Ramirez
Duncan Rose
Travis Shields
Robert Swinford

# GILA COUNTY ATTORNEY

*Bradley D. Beauchamp*

January 2, 2015

Arizona State Senate
Senate President Andy Biggs
Capital Complex
1700 W. Washington
Phoenix, AZ 85007-2890

RE: Gila County Deferred Prosecution

Honorable Senate President Andy Biggs:

Pursuant to Statute A.R.S. §11-362 I am sending this report in regards to the Gila County Attorney's Office Deferred Prosecution Program. (*See* attached statute.)

**Deferred Prosecution**

The Gila County Attorney's Office Deferred Prosecution program allows low risk defendants who have been charged with crimes to enter into deferred prosecution agreements whereby they admit their guilt and agree to make amends for their crimes in exchange for having their criminal charges deferred for up to two years and sometimes longer if restitution is involved. If they are able to successfully comply with the terms of their agreement, their criminal charges are dismissed and they avoid having to go through life having a felony conviction. If they are unable to show that they deserve this second chance and fail to comply with the terms of their agreements or if they commit new crimes, their deferred prosecutions are reinstated and they must answer to their original criminal charges in court.

During the time period of January 2014 through December 2014, the Gila County Deferred Prosecution Program had approximately thirty nine (39) individuals on the Deferred Prosecution Program—twelve (12) at the Payson Office in the northern part of the County and twenty seven (27) in Globe, the southern half of the County. Eight (8) individuals successfully completed the program during 2014 and thereby never became an expense to the Gila County probation department. Additionally, the Gila County Attorney's Office Deferred Prosecution Program collected and distributed to victims $56,993.95 in restitution in 2014.

| | | | |
|---|---|---|---|
| Globe Main Office: | 1400 E. Ash Street, Globe, AZ 85501 | Phone: (928) 425-3231 Ext. 8630 | Fax: (928) 425-3720 |
| Globe Downtown Office: | 155 S. Broad Street, Globe, AZ 85501 | Phone: (928) 425-3231 Ext. 8630 | Fax: (928) 425-9797 |
| Globe Child Support Office: | 157 S. Broad Street, Globe, AZ 85501 | Phone: (928) 425-4464 | Fax: (928) 425-7520 |
| Payson Office: | 714 S. Beeline Hwy Ste. 202, Payson, AZ 85541 | Phone: (928) 474-4068 | Fax: (928) 474-9066 |

Out of the thirty nine (39) individuals in the Deferred Program in 2014 fifteen (15), were new enrollees during the calendar year of 2014. Three (3) individuals entered the Program in Payson and twelve (12) entered the Program in the Globe area. A breakdown of the crimes involved is as follows:

| **Payson** | | **Globe** | |
|---|---|---|---|
| Drugs | 3 | Drugs | 8 |
| | | Criminal Damage | 1 |
| | | Child Abuse | 1 |
| | | Misconduct W/Weapons | 1 |
| | | Agg/Shoplifting | 1 |

Out of the fifteen (15) defendants that entered the Program in the year 2014; all fifteen (15) remain on the Program.

The Deferred Prosecution Program continues in Gila County to meet its primary objective of ensuring the accused remain accountable for their actions while allowing those with no criminal history, and thus a low probability of recidivism, to find the correct law-abiding path. Additionally, in all victim related offenses victims are ensured restitution and these offenders pose no additional expense to the overtaxed probation system.

If you have any question or concerns, please do not hesitate to contact me.

Sincerely,

Bradley D. Beauchamp
Gila County Attorney